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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Before the  
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FEDERAL COMMUNICATIONS COMMISSION  
Washington, D. C. 20554

In the Matter of )  
Request for Limited Modification of the )  
LATA Boundary to Provide Extended Area )  
Service Between the Montpelier and Greensburg )  
Exchanges in the Baton Rouge LATA and the Kentwood, )  
Amite and Independence Exchanges in the New Orleans )  
LATA, in the State of Louisiana. )

WC Docket No. 04-321

PETITION

I. INTRODUCTION

BellSouth Telecommunications, Inc. and BellSouth Corporation ("BellSouth"), pursuant to Section 3(25) of the Communications Act of 1934, as amended,<sup>1</sup> and in accordance with the guidelines established in the Commission's *Memorandum Opinion and Order* ("Order") released July 15, 1997 in CC Docket 96-159,<sup>2</sup> hereby make this application for a limited modification of the LATA boundary to provide Extended Area Service ("EAS") between the Montpelier and Greensburg exchanges in the Baton Rouge LATA and the Kentwood, Amite and Independence exchanges in the New Orleans LATA, in the state of Louisiana.

<sup>1</sup> The Communications Act of 1934, as amended, 47 U.S.C. § 151, *et seq.*

<sup>2</sup> *In the Matter of Petitions for Limited Modification of LATA Boundaries to Provide Expanded Local Calling Service at Various Locations*, CC Docket No. 96-159, *Memorandum Opinion and Order*, 12 FCC Rcd 10646 (1997). By way of this *Order* the Commission adopted a format for and criteria under which such petitions would be granted. The format and criteria are detailed in paragraphs 23 and 24.

## II. SUPPORTING INFORMATION

On July 8, 2004, the Louisiana Public Service Commission ("LPSC") issued an order, attached hereto as Exhibit A, approving certain EAS modifications in Louisiana. As prescribed in paragraph 23 of the Commission's *Order*, BellSouth provides the following necessary information in support of its application:

1. Type of service: Flat-rate, non-optional EAS.
2. Direction of service: Two-way.
3. Exchanges involved: The Kentwood, Amite and Independence exchanges are in the New Orleans LATA; the Montpelier and Greensburg exchanges are in the Baton Rouge LATA.
4. Name of carriers: BellSouth Telecommunications, Inc. is the predominant carrier in the Kentwood, Amite and Independence exchanges; Century Telephone Company is the predominant carrier in the Montpelier and Greensburg exchanges.
5. State commission approval(s): See Exhibit A for a copy of the order issued by the LPSC.
6. Number of access lines or customers: Kentwood has 4,000 access lines, Amite has 8,000 access lines, Independence has 4,900 access lines, Greensburg has 2,375 access lines and Montpelier has 940 access lines.
7. Usage data: BellSouth does not have any usage data available because BellSouth does not currently carry traffic across LATA boundaries.
8. Poll results: BellSouth distributed 16,900 ballots. Of this group, 623 customers responded "yes," 618 customers responded "no," and 50 customers returned cards with no preference marked.

Century Telephone Company sent out 3,315 ballots, with 512 customers responding "yes," 332 customers responding "no," and 33 responding with no preference marked.

Of the customers indicating a preference, 54% approved the plan and 46% disapproved.

The Louisiana PSC received many requests from elected officials, business leaders and other citizens in the affected area asking for approval of a plan that would allow them to call Greensburg and Montpelier on a flat rate basis.

9. Rate change: No BellSouth customer bills will be increased as a result of the new EAS plan. Century Telephone Company customers' bills will increase by \$2.49 per month.

10. Community of interest statement: Many customers served by the Kentwood, Amite and Independence telephone exchanges, located in the New Orleans LATA, are physically located within the St. Helena Parish boundary. The St. Helena parish seat, Greensburg, is located in the Baton Rouge LATA. Therefore, in order to conduct normal business with their parish seat and to contact local government, medical and school offices, residents of the Kentwood, Amite, and Independence exchanges in St. Helena Parish must make toll calls to Greensburg. Likewise, many customers in the predominantly rural Kentwood, Amite and Independence exchanges are required to make toll calls to contact businesses, doctors, churches and other residents in Montpelier, the only other major metropolitan center in St. Helena parish. For these reasons, the Louisiana PSC determined that a sufficiently strong community of interest existed among these exchanges to warrant EAS. The poll results also supported the action taken by the LPSC.
11. Map: See Exhibit B.
12. Other pertinent information: N/A.

### III. PRIMA FACIE SHOWING

BellSouth's Petition shows that (1) EAS has been approved by the LPSC; (2) the EAS proposal includes only traditional local service (*i.e.*, flat-rate, non-optional EAS); (3) the LPSC found sufficient community of interest to warrant such service; and (4) EAS involves a limited number of customers or access lines. These showings meet the *prima facie* test for LATA modification established by the Commission in its *Order*.<sup>3</sup>

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<sup>3</sup> *Order*, 12 FCC Rcd at 10659, ¶ 24.


#### IV. CONCLUSION

Wherefore, BellSouth requests that the Commission approve its application for a limited modification of LATA boundaries to provide EAS between the Montpelier and Greensburg exchanges in the Baton Rouge LATA and the Kentwood, Amite and Independence exchanges in the New Orleans LATA, in the state of Louisiana.

Respectfully submitted,

BELLSOUTH CORPORATION  
BELLSOUTH TELECOMMUNICATIONS, INC.

By:

  
Richard M. Sbaratta

Their Attorney

BellSouth Corporation  
Suite 4300  
675 West Peachtree Street, N. E.  
Atlanta, Georgia 30375-0001  
(404) 335-0738

Date: July 29, 2004

## **Exhibit A**

**Copy of Louisiana Public Service Commission's Order Approving EAS between the Montpelier exchange in the Baton Rouge LATA and each of the Kentwood, Amite and Independence exchanges in the New Orleans LATA, and between the Greensburg exchange in the Baton Rouge LATA and each of the Kentwood, Amite and Independence exchanges in the New Orleans LATA, in the state of Louisiana.**

**LOUISIANA PUBLIC SERVICE COMMISSION  
EX PARTE**

**SPECIAL ORDER NO. 43-2004**

***In re: Implementation of InterLATA EAS service within the Parish of St. Helena and authority to request LATA relief from the FCC.***

(Decided at the May 12, 2004 Business and Executive Session.)

In 2003, community leaders in St. Helena Parish contacted the Louisiana Public Service Commission regarding their concerns about the telephone calling options available for their constituents. In particular, some areas of St. Helena Parish are served by telephone exchanges located in the New Orleans LATA while other areas of the parish are served by exchanges in the Baton Rouge LATA. Parish wide toll free dialing is not available because the LATA necessitates certain calls within the parish to be toll calls.

Century Telephone Company provides service on the Baton Rouge LATA side from its exchanges located in Montpelier and Greensburg while BellSouth Telecommunications, Inc. serves its customers on the New Orleans LATA side through its exchanges located in Kentwood, Independence, and Amite.

At its April 14, 2004 Business and Executive Session, Commissioner Blossman discussed requests from residents to be able to call parish-wide. In response to the requests, customers had been polled about increasing their bills to fund the service. The majority of both CenturyTel and BellSouth customers responding to the survey elected to pay the higher fee. Commissioner Field also discussed the possibility of addressing funding for such services in the open State Universal Service Fund docket, U-20883-C.

Once again, the Commission addressed the issue of parish-wide calling at its May 12, 2004 Business and Executive Session, for purposes of implementing a decision on the issue. On motion of Commissioner Blossman, seconded by Commissioner Field, and unanimously adopted, the Commission voted to suspend the rules to discuss this issue. Following this vote, Commissioner Blossman addressed the outcome of a meeting of the St. Helena Parish Police Jury, wherein the issue was discussed. Specifically, the concern voiced was the inability to call across the LATA boundary

between the communities of interest of Greensburg, Montpelier and parts of Tangipohoa Parish, namely Kentwood, Amite and Independence without incurring toll charges. Based on this concern, Commissioner Blossman moved that the Commission allow BellSouth and CenturyTel to petition the Federal Communications Commission ("FCC") for LATA boundary relief to provide flat rate, non-optional parish-wide calling. The motion was seconded by Commissioner Field, and unanimously adopted.

**IT IS THEREFORE ORDERED THAT:**

1. BellSouth and CenturyTel are authorized to petition the FCC for LATA relief so that they may implement parish-wide flat rate, non-optional calling for the Parish of St. Helena.
2. Staff consider the funding of this new service in Docket U-20883-C, which addresses the establishment of a State Universal Service Fund.
3. This Order shall be affective immediately.

**BY ORDER OF THE COMMISSION  
BATON ROUGE, LOUISIANA**

July 8, 2004

/S/ IRMA MUSE DIXON  
DISTRICT III  
CHAIRMAN IRMA MUSE DIXON

/S/ C. DALE SITTIG  
DISTRICT IV  
VICE CHAIRMAN C. DALE SITTIG

/S/ JAMES M. FIELD  
DISTRICT II  
COMMISSIONER JAMES M. FIELD

/S/ JACK "JAY" A. BLOSSMAN  
DISTRICT I  
COMMISSIONER JACK "JAY" A. BLOSSMAN

  
LAWRENCE C. ST. BLANC  
SECRETARY

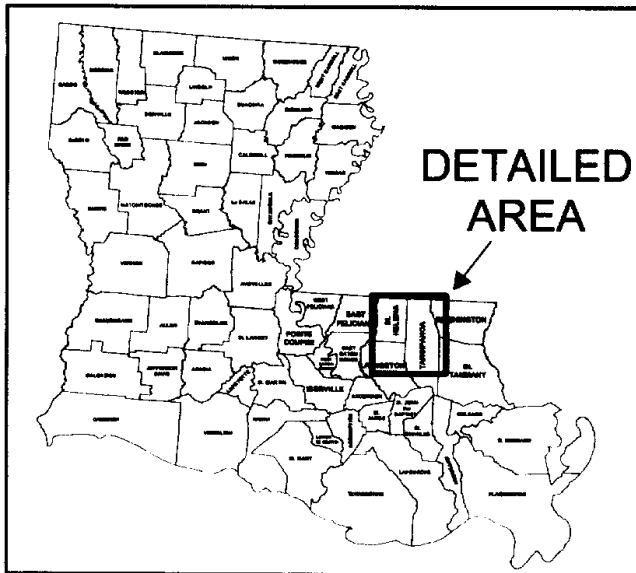
/S/ FOSTER L. CAMPBELL  
DISTRICT V  
COMMISSIONER FOSTER L. CAMPBELL

*Special Order Number 43-2004  
Page 2 of 2*

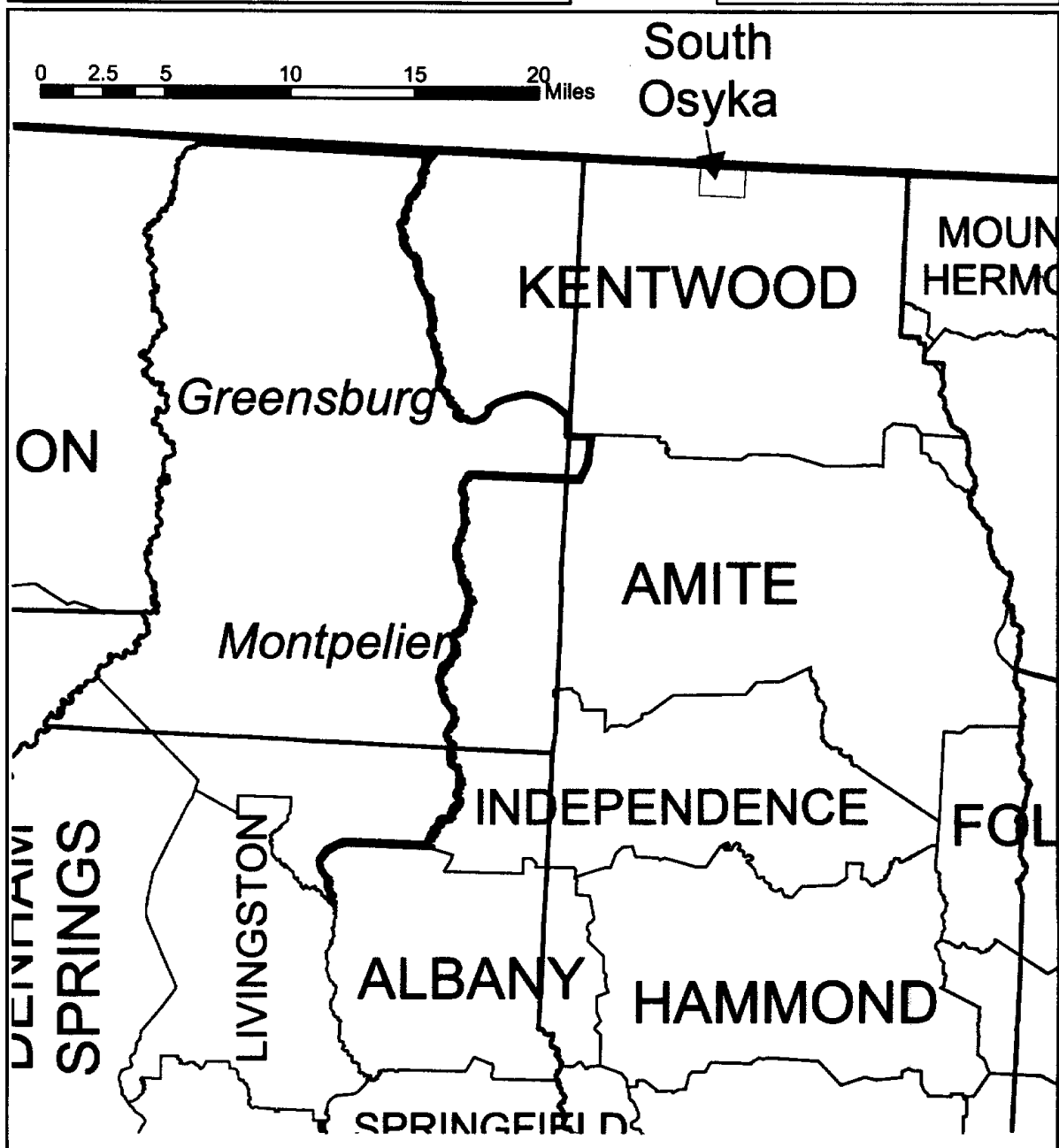
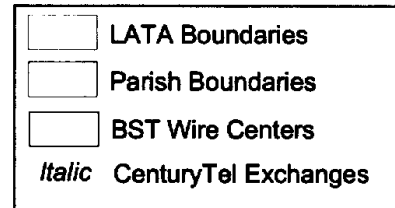
## **Exhibit B**

### **LATA Boundary Map Showing Affected Exchanges in Louisiana**





**VICINITY MAP**  
 Detailing the Area Affected by the  
 Establishment of Extended Area  
 Service among CenturyTel exchanges  
 (Greensburg and Montpelier) and  
 BellSouth exchanges (Amite, Kentwood  
 and Independence)



**CERTIFICATE OF SERVICE**

I do hereby certify that I have this 29th day of July, 2004 served the following parties to this action with a copy of the foregoing **PETITION** by hand delivery addressed to the parties listed below.

Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
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Juanita H. Lee